

**Notice of Public Hearing**  
LSA Document #17-484**Notice of Public Hearing**

Under [IC 4-22-2-24](#), notice is hereby given that on December 28, 2017, at 10:00 a.m., at the Indiana Government Center South, 402 West Washington Street, Conference Center Room #1, Indianapolis, Indiana, the Office of the Secretary of the Family and Social Services – Office of Medicaid Policy and Planning will hold a public hearing on a proposed rule amending [405 IAC 10](#) to amend rules applying to the Healthy Indiana Plan (HIP).

This rule will amend [405 IAC 10](#) to define the benefit period as the annual period January-December by which member benefit limitations are applied, POWER accounts are effective, and MCE enrollment is effective. It will amend [405 IAC 10](#) to define the eligibility period as the continuous period of plan eligibility that begins after eligibility determination and lasts up to twelve (12) months. It will also amend [405 IAC 10](#) to define MCE selection period as the period of time in which a member can select the member's managed care entity for the following benefit period.

As it pertains to enrollment and benefits, this rule will amend [405 IAC 10](#) to include pregnant women who meet age and income eligibility criteria as HIP eligible members and end the transfer of pregnant HIP members to other IHCP programs due to their pregnancy. The rule amends [405 IAC 10](#) to remove the requirement to offer fast track enrollment to individuals who are eligible only in the PE adult aid category. Qualified individuals are still eligible for fast track upon application for full IHCP benefits. The amendments will allow for POWER account contribution amounts to be set at an amount determined by the secretary that is based on the individual's annual household income per year. Amounts determined by the secretary must be approved by the United States Department of Health and Human Services. In no event shall the member's monthly POWER account payment exceed one hundred dollars (\$100) per month or be less than one dollar (\$1) per month or one dollar and fifty cents (\$1.50) per month for a tobacco user. This is a change compared to the previous system of two percent (2%) of household income. Accordingly, the rule amendments will allow for a tobacco surcharge to be applied to POWER account contribution amounts for members who continue to use tobacco after twelve (12) months in the program.

This rule will also change some of the costs to members and change some programs such as removing all reference to the HIP Link program. This rule will also change eligibility for transitional Medicaid assistance and make several technical and conforming changes in terminology to correspond to the rest of 405 IAC and the Indiana Code. Finally, this rule will amend [405 IAC 10](#) to remove the graduated copayment of twenty-five dollars (\$25) for repeated use of the emergency room for nonemergent services.

Pursuant to [IC 4-22-2-24\(d\)\(3\)](#), the Indiana Family and Social Services Administration (FSSA) – Office of Medicaid Policy and Planning (OMPP) has determined that changes to the current rules are necessary to reflect changes made by the 1115 waiver with the Centers for Medicare and Medicaid Services.

All parties interested in the proposed rule are invited to attend the public hearing and to offer public comments. In lieu of attendance at the public hearing, written comments may be sent to: FSSA, Attention: Jeremy Hoffman c/o Natalie Angel, 402 W. Washington St., Room W451, Indianapolis, IN 46204. Correspondence should be identified in the following manner: "COMMENT RE: LSA Document #17-484, Healthy Indiana Plan proposed rule." All written comments concerning the rule received by the FSSA – OMPP will be available for public inspection at FSSA's Office of General Counsel, Indiana Government Center South, 402 West Washington Street, Room W451, Indianapolis, Indiana.

Pursuant to [IC 4-22-2-24\(d\)](#), copies of the proposed rule and any data, studies, or analyses referenced in a justification of requirement or costs on regulated entities are available to be inspected and copied on the FSSA website at:

<http://www.in.gov/fssa/4543.htm>

Copies of these documents are now on file at the Indiana Government Center South, 402 West Washington Street, Room W451, Indianapolis, Indiana and are open for public inspection and copying.

Jennifer Walthall, M.D., M.P.H.  
Secretary  
Indiana Family and Social Services Administration

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